

REMARKS

Applicant provisionally elects Group I claims 1-41. The Group I claims 1-41 are provisionally elected with traverse in that the two groups are not "independent and distinct" within the meaning of 35 USC 121 as defined further in MPEP 802.01. Both "independent" and "distinct" are required to support the restriction under 35 USC 121. At least the test for independence between Group I and Group II claims is not met, because there is sufficient relationship between the two groups that they should be examined together.

The two groups of claims are directed to the same field, namely alkaline cell with improved anode. The battery field extends to many other types of cells, many of which are not alkaline cells. The above two groups of claims are related because they apply to a specific type of cell, namely, an alkaline cell and in particular anodes of such alkaline cells. Such common relationship between the Group I and Group II claims should be taken into consideration despite that the Group I claims are drawn to a method for forming the anode of the invention for an alkaline cell and the Group II claims are directed to an alkaline cell having the anode of the invention. Since both Groups of claims relate to the same art, namely anodes for alkaline cells, the same general art would be searched by the Examiner regardless of whether or not the two Groups were considered together. It would, therefore, be most efficient to prosecute this application in its entirety in that any restriction in this case would cause duplicity of effort by the Patent and Trademark Office and Applicant's Counsel.

The Restriction Requirement is herein believed to be traversed and withdrawal of the restriction is respectfully requested. Further prosecution of the Application is requested.

Authorization is hereby given to debit Deposit Account 502271 for any amount owing or credit the same account for any overcharges in connection with this communication.

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Respectfully submitted,

Barry D. Josephs  
Attorney At Law  
19 North St.  
Salem, Mass. 01970

*Barry D. Josephs*

Barry D. Josephs  
Reg. No. 27,140  
Tel. (978) 741-7999

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*Barry D. Josephs*  
Barry D. Josephs